

Samuel M. Kaauwai III
U.S.M.#89783-022
(FDC) Unit 5-a
P.O. Box 30080
Honolulu, HI. 96820

October 21, 2006

United States District Court
District of Hawaii
Honorable David Alan Ezra
300 Ala Moanna Blvd.
Honolulu, HI. 96812

RE: USA v. Kaauwai, CR.NO. 03-00248 DAE -01

Dear Honorable Judge Ezra,

My name is Samuel M. Kaauwai III, please excuse the direct approach. I am writing to inform you of what is happening in my case, and to ask you for your assistance.

I've been here at F.D.C. for approximately Four (4) years, on a writ stemming from a 2° robbery, (State charge that has been dismissed), which evolved into a federal charge of being a felon in possession of a fire arm, "that I never possessed".

Prior to my incarceration, I had a Tenth (10) grade education and did not comprehend Federal court procedures, Constitutional rights, elements of a crime, motions to suppress, ineffective counsel, and my right to a jury trial.

The little that I have learned, by studying has opened my eyes to what is really going on in my case. I hate to make such drastic implications, but something is definitely wrong.

I just can't understand how my two (2) previous attorney's both college educated, graduates from law school, and passed the Hawaii State bar exam can flat out fail to provide effective assistance of counsel. There has to be an explanation other than incompetence. Once again, I believe, that an educated attorney cannot be incompetent. Either he provides effective counsel or he sells you out to the prosecution, by being "ineffective", which is exactly what is happening in my case !

Sir, for the reasons I've stated above, I pray that you will (1) conduct an inquiry sufficient to determine the truth and scope of my allegations (2) Allow me to withdraw my guilty plea, and (3) afford me my Constitutional right to a jury trial.

I THANK YOU VERY MUCH FOR YOUR TIME !! RESPECTFULLY SUBMITTED.

SINCERELY,


Samuel Kaauwai #89783-022

EXHIBIT 2

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